UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,985	04/24/2006	William Henry Christopher Doyle	0230	6594

31665   7590   11/10/2009

PATENT DEPARTMENT
MACROVISION CORPORATION
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EXAMINER
AHMED, ENAM

ART UNIT	PAPER NUMBER
2112	

MAIL DATE	DELIVERY MODE
11/10/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/559,985	DOYLE, WILLIAM HENRY CHRISTOPHER
	Examiner	Art Unit	
	ENAM AHMED	2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 March 2009*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *46-78* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *46-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/7/05*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

Non – Final

The Examiner acknowledges a Preliminary Amendment was filed on 3/12/09, wherein claims 1-

45 were cancelled, and new claims 46-78 were added. Hence, the Examiner has examined these

claims in this office action.

35 U.S.C. 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 46-78 are rejected under 35 U.S.C. 102(b) as being unpatentable over Sollish et

al. (U.S. Pub. No. 2002/00069389).

With respect to claims 46 and 64, the Sollish et al. reference teaches reading data from an

optical disc at a selected level which differs from the user data level, and writing the data read

from said selected level to an optical disc to create a usable copy of a copy protected optical disc,

wherein the data levels at least comprise, from highest to lowest, the user data level, a data frame

level, an error corrected level, an interleaved level, and an encoded data level, and wherein the

data is read from the optical disc at the error corrected level without any error correction codes, or from one of the other levels above the encoded data level but below the user data level ([0082], [0086] and [0117]); and further comprising writing the read data to an optical disc, the writing step commencing at a data level which corresponds to the data level from which the data has been read and the writing step continuing down through the data levels to produce resultant encoded data in the form of a bit stream, which bit stream is written to the optical disc ([0167 – [0169]).

With respect to claims 47, 62, 65 and 68, the Sollish et al. reference teaches reading the data from the error corrected level without any error correction codes, and wherein the writing step involves generating error correction codes for the read data ([0082]).

With respect to claims 48, 63 and 66, the Sollish et al. reference teaches wherein writing the read data to an optical disc comprises interleaving the read data together with the error correction codes, encoding the interleaved data in accordance with EFM Plus encoding and writing the resultant bit stream to the optical disc ([0097]).

With respect to claims 49 and 67, the Sollish et al. reference teaches reading the data from the optical disc at the data frame level reading the data from the optical disc at the data frame level ([0082]).

With respect to claim 50, the Sollish et al. reference teaches wherein the data is read from the data frame level without any additional codes, and the writing step involves generating additional codes for the read data ([0082 – 0083] and [0129]).

With respect to claims 51 and 69, the Sollish et al. reference teaches wherein the additional codes generated include sector numbers ([0129]).

With respect to claims 52 and 70, the Sollish et al. reference teaches wherein the data is read from the data frame level together with any additional codes ([0082]).

With respect to claims 53 and 71, the Sollish et al. reference teaches wherein writing the read data to an optical disc comprises scrambling and subsequently error correcting the read data together with the additional codes, interleaving the error corrected data, encoding the interleaved data in accordance with EFM Plus encoding and writing the resultant bit stream to the optical disc ([0167 – 0169]).

With respect to claims 54 and 72, the Sollish et al. reference teaches reading the data from the optical disc at the interleaved level ([0082]).

With respect to claims 55 and 73, the Sollish et al. reference teaches comprising the step of creating a Lead-In for the optical disc being written ([0197]).

With respect to claims 56 and 74, the Sollish et al. reference teaches wherein the created

Lead-In specifies the physical characteristics and/or manufacturing information for the optical

disc being written ([0197] and [0011]).

With respect to claims 57 and 75, the Sollish et al. reference teaches wherein the optical

disc being written has a Lead-In, and further comprising the step of specifying physical

characteristics for the optical disc being written and writing the specified physical characteristics

to the Lead-In on the optical disc ([0011] and [0012]).

With respect to claims 58 and 76, the Sollish et al. reference teaches wherein the optical

disc being written has a Lead-In, and further comprising the step of specifying manufacturing

information for the optical disc being written and writing the specified manufacturing

information to the Lead-In on the optical disc ([0012] and [0021]).

With respect to claims 59 and 77, the Sollish et al. reference teaches wherein the optical

disc being written has a Lead-In, and further comprising the step of enabling reading and writing

of discs using absolute sector addresses, and using the absolute sector addresses to read the entire

data in a Lead-In of a copy protected optical disc, and writing the data read from the Lead-In to a

Lead-In of the optical disc being written ([0083], [0094], [0097] and [0101]).

With respect to claims 60 and 78, the Sollish et al. reference teaches comprising the step

of enabling reading and writing of discs using negative relative sector addresses, and using the

negative relative sector addresses to read the entire data in a Lead-In of a copy protected optical disc, and writing the data read from the Lead-In to a Lead-In of the optical disc being written ([0083], [0094], [0097] and [0101]).

With respect to claim 61, the Sollish et al. reference teaches comprising pickup means to detect the data carried on an optical disc, decoding means for decoding the detected data, de-interleaving means for arranging the decoded data into an ECC block, and error correction decoding means for determining error corrected data from said ECC block, and unscrambling means for unscrambling the determined error corrected data and forming a data frame [0082], and the apparatus further comprising means for writing detected data onto an optical disc, the writing means comprising scrambling means for scrambling the formed data frame, error correction encoding means for encoding said data frame to form an ECC block, interleaving means for interleaving the data in the ECC block, encoding means for encoding the interleaved data, and mastering means for representing the encoded data on an optical disc, and the apparatus further comprising a disc copying program for selecting the detected data from the ECC block, or the determined error corrected data, or the data frame and for applying the selected data to the corresponding element of the writing means, that is, respectively to the interleaving means, to the error correction encoding means, or to the scrambling means (.[0167 -0169]).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Enam Ahmed whose telephone number is 571-270-1729. The examiner can normally be reached on Mon-Fri from 8:30 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Scott Baderman, can be reached on 571-272-3644.

The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EA

11/8/09

/MUJTABA K CHAUDRY/

Primary Examiner, Art Unit 2112